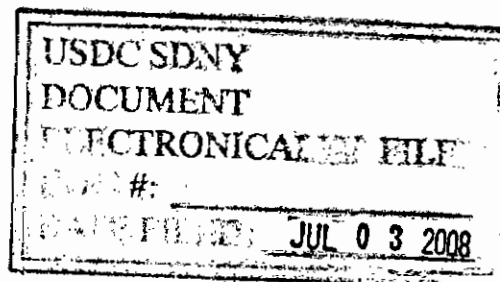


**UNITE HERE Fund Administrators**  
*An Affiliate of Amalgamated Life*

UNITE HERE Fund Administrators, Inc.

730 Broadway  
New York, NY 10003-9511  
212-539-5576  
fax: 212-387-0710

July 1, 2008



**VIA FACSIMILE (212) 805 -0426**

Honorable Laura Taylor Swain  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
500 Pearl Street - Room 755  
New York, New York 10007

**MEMO ENDORSED**

Re: UNITE HERE National Health Fund, et al. -v.- Toluca Garment  
Company -- 07-cv-08476-LTS

Dear Judge Swain:

We represent the plaintiffs in the above-referenced action to collect delinquent employee benefit fund contributions pursuant to ERISA Section 515. We are writing to respectfully request the Court's permission for a one-month extension of time in which to apply for a default judgment against defendant Toluca Garment Company in this action.

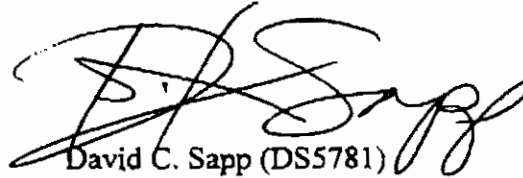
The instant action was commenced on October 1, 2007 by the filing of the Complaint. The Summons and Complaint were served on defendant on October 8, 2007. On January 24, 2008, the Court issued its Order permitting plaintiffs to make a motion for a default judgment. Prior to and subsequent to the issuance of the Order, plaintiffs had sought to perform a final audit of defendant's books and records to arrive at the total outstanding amount of the defendant's employee benefit fund contributions for inclusion in the default judgment. As defendant has completely ceased operations after the death of defendant's principal shareholder and officer, plaintiffs have been unable to obtain the books and records necessary to perform a final audit of defendant's payroll records. As plaintiffs have been unable to perform a final audit, plaintiffs will require a brief additional period of time to pull together documents in support of the default judgment application from their internal and external files and prepare the default judgment application.

Honorable Laura Taylor Swain  
July 1, 2008  
Page 2

Given the foregoing, plaintiffs respectfully request an extension to July 31, 2008 in which to file their application for a default judgment.

The Court's considerations are greatly appreciated.

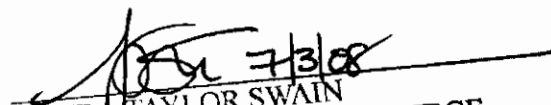
Respectfully submitted,



David C. Sapp (DS5781)

*The request is granted.*

SO ORDERED.



LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE